

107TH CONGRESS  
1ST SESSION

# S. 332

To provide for a study of anesthesia services furnished under the medicare program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2001

Mr. DEWINE (for himself and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To provide for a study of anesthesia services furnished under the medicare program, and to expand arrangements under which certified registered nurse anesthetists may furnish such services.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. STUDY AND REPORT ON ANESTHESIA SERV-**  
4                       **ICES UNDER THE MEDICARE PROGRAM;**  
5                       **MODIFICATION OF REGULATIONS REGARD-**  
6                       **ING SUPERVISION OF CERTIFIED REG-**  
7                       **ISTERED NURSE ANESTHETISTS.**

8       (a) STUDY.—

1           (1) The Secretary of Health and Human Serv-  
2       ices shall conduct a multistate comparative study of  
3       mortality and adverse outcome rates of medicare pa-  
4       tients by providers of anesthesia services and by type  
5       of such providers. In conducting the study, the Sec-  
6       retary shall develop comparative outcome data for a  
7       representative sample of medicare patients based on  
8       the complexity of the anesthesia services furnished  
9       to such patients.

10          (2) In conducting the study, the Secretary shall  
11       consult with appropriate national professional orga-  
12       nizations with respect to the methodology, and shall  
13       use medicare operating room reimbursement claims  
14       data verified by sampling actual patient records.

15       (b) REPORT.—Not later than January 1, 2006, the  
16       Secretary shall submit to Congress a report containing the  
17       results of the study conducted under subsection (a).

18       (c) PROMULGATION OF REVISED REGULATIONS.—

19           (1) IN GENERAL.—Pending the completion of  
20       the study under subsection (a), the Secretary of  
21       Health and Human Services shall revise any regula-  
22       tions establishing conditions of participation under  
23       the medicare program for hospitals and ambulatory  
24       surgical centers under title XVIII of the Social Se-  
25       curity Act relating to anesthesia services furnished

1 under such program to provide that nurse anes-  
2 thetists may furnish anesthesia services as follows:

3 (A) Under the medical direction of an im-  
4 mediately available anesthesiologist.

5 (B) Under the supervision of an imme-  
6 diately available physician.

7 (C) If not under subparagraph (A) or (B),  
8 then under a written collaboration agreement  
9 with an immediately available physician or phy-  
10 sician group that is—

11 (i) experienced in the administration  
12 of anesthesia; and

13 (ii) credentialed by the hospital or  
14 ambulatory surgical center to participate  
15 in such collaboration.

16 (2) DEFINITIONS.—In this subsection:

17 (A) The term “medical direction” has the  
18 meaning given that term in a regulation pro-  
19 mulgated by the Secretary pursuant to section  
20 1887(a)(1)(A) of the Social Security Act (42  
21 U.S.C. 1395xx(a)(1)(A)).

22 (B) The term “supervision” means the  
23 medical management of the anesthesia services  
24 furnished.

1           (C) The term “collaboration” means joint  
2           management by a physician and a nurse anes-  
3           thetist of anesthesia services furnished pursuant  
4           to a jointly developed written agreement that  
5           defines the respective role of the collaborating  
6           parties, consistent with the respective levels of  
7           their education, training, and experience in fur-  
8           nishing such services.

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